

THE MANAGEMENT OF STRUCTURAL FUNDS  
TO STRENGTHEN LOCAL ADMINISTRATIVE  
CAPACITY UNDER THE CRISIS CONDITIONS

**Abstract**

The aim of this paper is to analyze the impact of the economic and the financial crisis on the management of the structural funds in order to strengthen the administrative capacity of the local authorities within the operational program dedicated to achieving this goal. The changes of the economic and the social context determined by the current crisis make necessary the accommodation to the practical situation by some adjustments or recalibration to the specific priorities of the OP ACD to ensure the general objective which consists in the creation of a public administration more efficient and effective for the socio-economic benefit of the Romanian society.

**Keywords:** structural funds, strengthen local administrative capacity, crisis.

**JEL CODES:** G01, H12, R58

**GESTIUNEA FONDURILOR  
STRUCTURALE PRIVIND  
ÎNTĂRIREA CAPACITĂȚII  
ADMINISTRATIVE A  
AUTORITĂȚILOR LOCALE ÎN  
CONDIȚII DE CRIZĂ**

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**Rezumat**

În această lucrare ne-am propus să analizăm impactul crizei economice și financiare asupra gestiunii fondurilor structurale privind întărirea capacității administrative a autorităților locale, prin intermediul programului operațional dedicat acestui obiectiv. Modificarea contextului economic și social pe fondul crizei actuale face necesară adaptarea la situația concretă prin unele ajustări sau recalibrări la nivelul anumitor axe prioritare din cadrul PO DCA pentru a asigura în continuare atingerea obiectivului general de a contribui la crearea unei administrații publice mai eficiente și mai eficace în beneficiul socio-economic al societății românești.

**Cuvinte cheie:** fonduri structurale, întărirea capacității administrative, criză.

## 1. INTRODUCTION

According to the Strategic Report drawn up by the European Commission in 2010 (the Report of the European Commission regarding the European Funds 2007-2010, 2010), the economic-financial crisis that manifested itself beginning with 2008, affected the economies of all EU states, including the Romanian economy. In 2008, in the EU the increase of the GDP was already very low, of only 0.8%, and an average decrease of more than 4% was registered in 2009. The recession was strongly felt by the Baltic states that registered negative rates comprised between 14% and 18%, Poland being the only country that had economic growth (1.2%) in 2009.

Starting from that reality, the financial turbulences that began in 2007 on international level and that turned in 2008 into a major crisis, also rapidly moved towards the emergent areas, thus Romania felt those effects to the full in 2009, the macroeconomic forecasts on the level of the year 2007 proved their limits and required a revaluation. Thus, after nine years of sustained growth, in 2009, the GDP decreased in real terms by 7% as compared to 2008. At the same time, the unemployment rate ILB forecasted in 2006 for the year 2009 (according to the criteria of the International Labour Bureau) of 6.9% should be exceeded as a result of the effects of the crisis, registering a peak in 2009, respectively 8.4% for the period 2009-2011 and the number of employees from the economy was estimated to decrease by 2.2%. In that context, the national strategic reference framework (NSRF) that was prepared in 2006 and 2007 did not correspond to the reality anymore because during the mentioned period the economic growth was approximately 3% while in the summer of 2008 the GDP suddenly contracted as a result of the financial crisis. Since then, the employment rate decreased and the unemployment registered the highest rate for more than a decade. Moreover, the reduction of the consumption and of the investments was substantial and the public debt registered very high levels in many of the member states. Therefore, most of the national reports emphasized the contrast between the situation before the preparation of the NSRF and the situation beginning with 2008.

## 2. MANAGEMENT OF THE FUNDS WITHIN THE OPERATIONAL PROGRAM FOR THE ADMINISTRATIVE CAPACITY DEVELOPMENT (OP ACD)

The aim of the present paper is to analyse the management of the structural funds regarding the strengthening of the administrative capacity of the local authorities within the operational program intended for the achievement of this objective (Operational Program for the Administrative Capacity Development – OP ACD) under global economic and financial crisis.

The programming of the structural and cohesion funds on national level was done through the National Strategic Reference Framework (NSRF) that was negotiated with the European Commission and that represented the framework for the preparation of the sectorial and regional operational programs. The National Strategic Reference Framework 2007-2013 was approved by the European Commission in June 2007 and five of the seven operational programs were approved in July 2007 (Regional OP, Environmental SOP, Transportation SOP, Increase of the Economic Competitiveness SOP and Technical Assistance OP), more precisely before the beginning of the economic and financial crisis. The two programs financed from the ESF, that is Human Resources Development SOP (HRD SOP) and OP Administrative Capacity Development (OP ACD) received the approval of the European Commission as late as November 2007.

The total amount of the Structural and Cohesion Funds allocated to Romania for the period 2007-2013 was 19668 million Euro (5.66% of the total amount), out of which 12661 million were allocated through the Structural Funds within the objective „Convergence”, 6552 million Euro were allocated through the Cohesion Fund and 455 million were allocated to the Objective „European Territorial Cooperation”. A national co-financing estimated at 5.6 billion euro was added to the total amount. Out of that allocation, the amount of 19.2 billion euro was intended for the objective „Convergence” through seven operational programs. The estimative allocation emphasized the priority importance given to the transport infrastructure (23.8%) and the environment (23.5%) (figure 1).

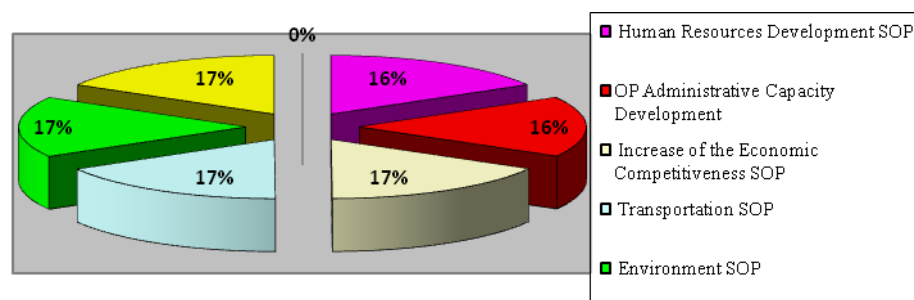


FIGURE NO. 1: ESTIMATIVE ALLOCATION ACCORDING TO OPERATIONAL PROGRAMS FOR ROMANIA DURING 2007-2013  
Source: National Strategic Reference Framework (NSRF) 2007-2013

The year 2007 was mainly dedicated to some preparing activities related to informing and advertising regarding the operational programs and the launching of the first project requests. The actual implementation was generally low in 2007, but quite different from one operational program to the other. Thus, till the end of the year 2007, a total 11 financing lines were opened, out of which most of them were for Environment SOP (6) and ROP (4). For the first two operational programs approved in

November 2007 (HRD SOP and OP ACD), the first project requests were launched in February, respectively May 2008.

The European funds that Romania had access to beginning with 2007, in the capacity of member state of the European Union, eligible for support within the objectives "Convergence" and "European Territorial Cooperation", represented a significant support for the achievement of the priorities and the objectives of the National Development Plan (National Development Plan 2007-2013, 2005). One of the main priorities of the period 2007-2013 was the administrative capacity and the good governance.

The public administration from Romania had gone during the last 20 years through a radical transformation process, from a public administration specific to a totalitarian regime to one suitable to a democratic regime. New institutions and regulations were promoted, including with the help of the pre-adhesion funds from the EU, in order to restructure the administration and to turn it more efficient. (Martin and Onofrei, 2009). The state institutions registered significant progresses regarding the modernization of the legislative and administrative bases related to the functioning of the public sector, being prepared to assume the obligations as a member state of the EU beginning with 2007. In 2004, the Romanian government also elaborated the updated Strategy for the acceleration of the public administration reform, a document also approved by the European Commission. Nevertheless, the above-mentioned progresses were not enough and the European Commission requested a strong emphasis on the strengthening of the administrative capacity for the adhesion.

The integration in the European Union offered to the member states new opportunities for finding financial resources for the financing of the local public development projects such as structural funds. From the perspective of the local public authorities from Romania, the granting of the structural funds also implied new management rules that supposed a more developed managerial capacity of those authorities which represented including a consequence of the implementation of the principle of autonomy.

The need to invest in the institutional capacity was recognized by the Community Strategic Guidelines for Cohesion in those member states where the socio-economic performance and the good governance represented some of the main challenges for the next programming period (European Union Council, 2006). Those investments were implicitly related to the continuous and efficient reform of the public administration sector which led to an increased administrative performance. The development of the administrative capacity referred to a set of structural changes and processes that allowed the governments to improve the elaboration and the implementation of the programs in order to obtain better results (Operational Program for the Administrative Capacity Development 2007-2013, 2007).

The aim was to improve the management in the public administration through: development of the human resources, institutional development, development of the social, political and cultural environment.

The Operational Program for the Administrative Capacity Development (OP ACD) aimed at the acceleration of the public management reform from the public administration through interventions in the cycle of public policies (strengthening of the public management capacity of the ministries and implementation of some modern methods in the area of human resources for the improvement of the individual performances of the state employees) and the support of the management reform in the sectors that contributed directly to the economic growth and the creation of jobs (Operational Program for the Administrative Capacity Development 2007-2013, 2007). In other words, the specific objective of that program consisted in the improvement of the performance of the public administration from certain sectors that had a direct impact on the economic and social cohesion from Romania. The goal of the operational program was to improve the management functions in the public administration.

Thus, the OP ACD contributed to the implementation of the forth priority for national development from the NDP 2007-2013 "Development of human resources, promotion of employment and social inclusion and strengthening of the administrative capacity" in order to have a positive impact on the public administration, so as to stimulate the economic development (Operational Program for the Administrative Capacity Development, 2007-2013).

The need for the existence of an OP ACD was justified by the following aspects:

- the efficiency of the public services led to an increased productivity in economy, for example through more rapid procedures, improved services for clients, value of the used money, etc.;
- the public administration institutions that functioned well represented a pre-condition for the efficient elaboration and implementation of the policies in order to promote the socio-economic development and to contribute to the economic growth and the creation of jobs;
- the efficient institutional and administrative capacity was the key factor for the good governance – an essential element of the Lisbon Strategy.

The central theme of the OP ACD aimed at the increase of the trust in the Public Administration. According to the Implementation Framework Document of the Operational Program for the Administrative Capacity Development, the general objective was to contribute to the creation of a more efficient and more effective public administration for the socio-economic benefit of the Romanian society and the specific objectives consisted in:

1. Improvement of the management of the cycle of public policies;
2. Improvement of the quality and the efficiency of the service supply.

Thus, the specific objectives focused on the contribution for the durable improvement of the Romanian public administration, measuring through comparison the sectorial performances of the public services from Romania with other new member states and the EU member states in general.

In that context, it was necessary to define the administrative capacity “as the aggregate of material, institutional and human resources of an administrative-territorial unit, as well as its performed actions for the exercise of the competences established by the law” (*Law no. 195/2006, art. 2*).

The OP ACD was elaborated on the basis of an allocation from the ESF of 208.002.622 euro (85% out of the total financing, which represented 1% of the financing from the ESF), that should be completed by the national co-financing (15%). The local public authorities should contribute with 2% to the national co-financing from their own local budgets and the national budget should cover the rest of 98%.

The OP ACD should be implemented through three priority axes, including the technical assistance priority axis. They were directly linked to the specific objectives of the OP ACD:

- Priority axis 1: Structure and process improvements of the management of the cycle of public policies
- Priority axis 2: Quality and efficiency improvement of the public services supply with the emphasis on the decentralization process
- Priority axis 3: Technical assistance

The Ministry of Administration and Home Affairs, through the General Department for the Administrative Capacity Development, set up through the Government's Decision no. 128/2006 modified through the Government's Decision no. 497/2004 and the Government's Decision no. 137/2006 that modified the Government's Decision no. 725/2003, was appointed as Management Authority in order to manage the operational program.

TABLE NO.1 PRIORITY AXES OF OP ACD

<p>Priority axis 1: Strengthening of the interventions of public policies in the central administration</p> <ul style="list-style-type: none"> <li>▪ Management activities of the reforms</li> <li>▪ Elaboration capacity of the public policies, including intersectorial strategies and strategic institutional plans</li> <li>▪ Implementation of the reform of the public position</li> <li>▪ Implementation of the monitoring and the assessment of the programs</li> </ul>
<p>Priority axis 2: Development of the improvement capacity of the service performance in the local administration</p> <ul style="list-style-type: none"> <li>▪ Management activities of the reforms;</li> <li>▪ Strengthening of strategic and planning management capacity of the actions;</li> <li>▪ Rationalization of local services supply and strengthening of human resources management;</li> <li>▪ Implementation of performance monitoring and assessment in the local administration.</li> </ul>
<p>Priority axis 3: Technical assistance for the support of the OP implementation</p> <ul style="list-style-type: none"> <li>▪ Support of the general management of the OP ACD, including preparing the next programming exercise;</li> <li>▪ Support of the communication strategy of the OP ACD.</li> </ul>

On the background of the European integration, the priority axes of the Operational Program for the Administrative Capacity Development aimed at two priority directions (Onofrei and Oprea, 2008,) namely:

- Settlement of the horizontal management problems on all levels of the public administration (central and local), emphasizing the key elements that strengthened the credibility of the administration, especially the decision making process, a better legislative regulation, raising awareness of the public administration and organizational efficiency;
- Especially the orientation towards the improvement of the decentralization process of services supply in certain priority sectors (health, education, social assistance), quality and efficiency improvement of the services supply.

From the point of view of this study, we are interested in the priority axis 2 (40% are allocated from the total amount of the program) regarding the Development of the improvement capacity of the services performance in the local administration whose objective is to contribute to the public administration reform on county and local level through the implementation of a reform management set that deals with the key elements of the cycle of strategic management. The main intervention areas of this axis are:

- Management activities of the reforms;
- Strengthening of strategic and planning management capacity of the actions;
- Rationalization of local services supply and strengthening of human resources management;
- Implementation of performance monitoring and assessment in the local administration



TABLE NO. 2 FINANCIAL ALLOCATION FOR THE PRIORITY AXIS 2 (IN EURO)

Year	Total	National public contribution					Private contribution
		EU Contribution (ESF)	State budget	Local budget	Other public sources	Total	
2007	9,488,448	8,065,181	1,299,728	123,540		1,423,267	
2008	13,243,875	11,257,294	1,814,146	172,435		1,986,581	
2009	19,223,995	16,340,396	2,633,303	250,296		2,883,599	
2010	19,608,475	16,667,204	2,685,969	255,302		2,941,271	
2011	14,054,507	11,946,331	1,925,186	182,990		2,108,176	
2012	11,578,752	9,841,939	1,586,057	150,755		1,736,813	
2013	10,685,534	9,082,704	1,463,704	139,126		1,602,830	
TOTAL	97,883,587	83,201,049	13,408,094	1,274,444		14,682,538	

Source: Implementation Framework Document of the Operational Program for the Administrative Capacity Development, [http://www.fonduriadministratie.ro/Documente/Documente\\_programatice](http://www.fonduriadministratie.ro/Documente/Documente_programatice), p. 76.

According to the *National Strategic Report 2009 regarding the implementation of the Structural and Cohesion Funds* (Romanian Government, 2010), on September 30, 2009, the total number of projects submitted within OP ACD was 627, amounting to a total value of 142.2 mil. euro, out of which the EU requested contribution amounted to 115.2 mil. euro.

From the total number of projects, 130 projects were approved during the reference period, amounting to 45.4 mil. euro, out of which 37.3 mil. euro represented the EU contribution, which represented 41.8% of the EU allocation for the OP ACD due to the period 2007-2009 and 17.9% of the allocation 2007-2013 for that program.

Regarding the priority axis 2, in 2009 the project requests were concentrated on the intervention areas included in that axis, namely –*Quality and efficiency improvement of the public services supply, with the emphasis on the decentralization process*, the number of submitted projects exceeded in average four times the allocation of the opened financing lines.

86 financing contracts were signed with the beneficiaries till September 30, 2009, with an eligible value of 38.8 mil. euro, out of which 32.7 mil. euro EU contribution. It represented 36.6% of the EU allocation for the OP ACD due to the period 2007-2009 and 15.7% of the allocation 2007-2013 for that program.

The internal payments to the beneficiaries representing pre-financing and reimbursements amounted to 0.6 mil. euro, EU funds (0.7% of the allocation 2007-2009, respectively 0.3% of the allocation 2007-2013). The value of the expenses declared to the European Commission till September 30, 2009 was 0.05 mil. Euro, which represented 0.02% of the total EU funds allocated for OP ACD.



Regarding the strategy for the development and the promotion of the reform initiatives on the level of the public administration, the evolution of the implementation process, as well as the interest manifested by the administrative institutions reflected by the number of submitted financing requests indicated the fact that the strategy of the priority „Building an efficient administrative capacity” from the RNSF and the implementation and the management of the OP ACD remained valid and contemporaneous.

Moreover, it was taken into account that the strategic measures on the level of the OP ACD regarding the administrative capacity development on the level of the three identified priority sectors (education, health, social assistance) should be also extended on the level of other public institutions on central level that took measures regarding the transfer of some competences on local level.

### 3. PROBLEMS THAT APPEARED DURING THE IMPLEMENTATION OF THE OPERATIONAL PROGRAM FOR THE ADMINISTRATIVE CAPACITY DEVELOPMENT – OP ACD

The problems that the management authorities and the beneficiaries came across were multiple and complex and their solving took time and consistent efforts. A special attention had to be paid to the impact of the economic and the financial crisis that manifested beginning with the year 2008, including on the Operational Program for the Administrative Capacity Development – OP ACD.

Directly regarding the impact of the world economic recession that began in the autumn of 2008, many reports mentioned unequivocally that it represented a source of complications for the execution and a change of the expectations. Many member states of the European Union invoked the increasingly numerous restrictions related to the public financing on national or local level and their impact. Nevertheless, it was found that the programs were initiated as fast as during the period previous to the crisis. Regarding the obstacles from the system in the way of the rapid application of the Report of the European Commission regarding the European funds 2007-2010, the member states identified the following key aspects:

- delays in the approval of the EU budget, delayed adoption of the regulations, of the strategic community orientations (SCO-s) and the further negotiation of the programs;
- the modifications of the financial control norms were perceived as the most frequent delay sources of the application, while the member states adapted to the new control system;
- complexity of the management of the overlapped programming periods;

- ambiguous distribution of the tasks on national level, insufficient experience, lack of administrative capacity both on the level of the management authorities and of the beneficiaries and the internal reorganization processes of the public administrations.

In the case of Romania, according to the *National Strategic Report 2009 regarding the implementation of the Structural and Cohesion Funds*, the main difficulties during the implementation of the Operational Program for the Administrative Capacity Development – OP ACD appeared due to various reasons, beginning with the difficulties related to the preparation of the project portfolio and the launching of project requests, then the delays in the assessment and the selection of the projects, difficulties in the initiation of the implementation of the projects on the level of the beneficiaries, especially of the major projects, the legislative barriers, especially the budgetary ones, but not only, as well as the institutional problems.

In the case of the preparation of the projects portfolio, the relatively limited capacity of the public authorities (both central and local) regarding the identification, the prioritization and the preparation of the projects represented a significant impediment in the achievement of that measure which was often reflected in a poor quality of the projects that was below the requested level.

The launching of the project requests registered great delays as compared to the initially set deadline. A decisive factor regarding the launching of the project requests was the speed with which the management authority prepared the first edition of the guide books for the applicants.

A major problem that could be found on the level of all operational programs, including the Operational Program for the Administrative Capacity Development – OP ACD (except for the major projects that had a specific preparation, submission, assessment and approval system) was the relatively long assessment and selection duration of the projects, from the moment when they were submitted and till the notification of the beneficiary regarding the result of the assessment, it generally took 6 to 10 months (especially for the operations where the financing requests exceeded by far the estimates both from the point of view of the number and the values of the requested assistance).

Another negative factor could be related to the legislative barriers that impacted on the absorption rate. Those barriers appeared in all implementation stages of the Operational Program for the Administrative Capacity Development – OP ACD, and the most important legislative horizontal deficiencies resulted from the budgetary legislation that contained a series of restrictive provisions that affected the efficient and rapid implementation of the projects.

Regarding the institutional system created for the management of the operational programs, it was stabilized and consolidated. The system assessments made by the Audit Authority and the European Commission through the missions performed during 2008-2009, were finalized by accrediting the management and the control systems for all seven operational programs (out of which six programs during the year 2009), thus attesting the conformity of the implementation procedures with the European norms and standards. Nevertheless, the institutional difficulties remained, especially those related to the complexity of the procedures and the stability of the personnel.

One of the major problems of the entire management system of the structural instruments was represented by the insufficient human resources (Profiroiu et al., 2005) and, sometimes, with a low financial motivation, on the level of the management authorities/intermediary organisms/certification and payment authorities, including on the level of some key functions such as the project assessment or the verification of the reimbursement requests. The great work volume and the high responsibility degree of the activities developed by the personnel within the management authorities/intermediary organisms led to a fluctuation of the personnel trained in the management of those funds, with variations from program to program.

Among the visible effects that could be mentioned: delays in the elaboration of the guides for the applicants and the contracting of technical assistance; delays in finishing the preparation of the major projects and their approval by the EU; delays in the implementation of the projects with direct impact on the absorption rate and eventually the non-fulfillment of some obligations assumed through the Adhesion Treaty.

The situation worsened in 2009 due to the blocking of the employment on the unfilled vacancies (as a direct effect of the economic and the financial crisis) which seriously affected the suitable capacity for fulfilling the attributions and the observance of the principle for the separation of the functions ("four eyes") but also the decrease of the level of salary incomes.

The deficiencies regarding the specialized and motivated personnel (Oprea, 2009) could also be found on the level of the beneficiaries from the central and local administration; the problems on the level of the beneficiaries aimed at: absence of a legal regulation regarding the setting of an unitary pay wages system/stimulation/concerning of the state employees from the central administration employed in the project teams; ambiguities regarding the structure of the project teams and the regime of the contractual employee, on the level of the beneficiaries from the central and local administration under the conditions of the labour legislation and the public function, as well as the budgetary limitations for the year 2009.

In the end, we must emphasize the fact that the achievement of a high absorption rate mainly depended on the efficiency, effectiveness and rapidity with which were removed the barriers in the way of the absorption and that was why, once the various difficulties and problems related to the implementation were identified, we had to proceed to the identification of the solutions that were reasonable from the legal, institutional, procedural or financial point of view.

#### 4. CONCLUSIONS

In conclusion, the present economic context, the socio-economic modifications that occurred during the reference period, as well as the accessing rate of the structural instruments from the point of view of the projects submitted within various project calls, do not impose a modification of the strategy approved on the level of the NSRF and OP ACD, the global and specific objectives maintaining their relevance in relation to the elements that must be corrected in the socio-economic plan in order to reduce the development gap in comparison to the other member states and European regions. At the same time, the national strategy for the allocation of the structural instruments maintains its coherence in relation to the objectives of the relevant national and European strategies.

Nevertheless, the modification of the economic and the social context on the background of the present crisis calls for the conformation to the concrete situation by making some adjustments or recalibrations on the level of some priority axes within OP ACD in order to continue to ensure the achievement of the general objective to create a more efficient and effective public administration for the Romanian society's benefit. Thus, in our opinion, the adjustments could consist in the modification of the eligibility and selection criteria of the identified beneficiaries and the target groups or the financial allocations for certain types of interventions, that is the improvement of the accessing and the implementation system in order to accelerate the absorption of the funds so as to provide a rapid infusion of capital in the economy in order to reduce the effects of the economic crisis, to ease the making of some essential investments on local level, as well as to avoid the automatic disengagement of the amounts allocated for Romania.

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